Govt. II-37—100,000—23-6-48.

EDUCATION AND PUBLIC HEALTH (1947) Department.

Ms. SERIES.

G.O. No. 3597, P.H.

Dated 30th October, 1947.

[Despatch Abstract.]

...easures designed to discourage promiscuity and to control prostitution - Bhore Committee's Recommendations - Papers Recorded.

E. & P.H. Deptt.(Spl).

Veneral Diseases - Measures designed to discourage promiscuity and to control prostitution.

In the section dealing with the measures for the prevention of veneral diseases, in Chapter XI, Volume II of its report, the Health Survey and Development Committee have made the following suggestions as to the measures which should be taken to discourage promiscuity in the community and to control prostitution:-

(i) A beginning should be made towards a universal sex education, by providing such instruction to teachers in training schools and colleges and through them to school children and college students.

(II) Prostitution plays an important part in the spread of veneral diseases. In the fight against it, it is important to direct the attack on those who are responsible for the maintenance of brothels under whatever name the institutions may be maintained. An adequate definition of the term 'brothel' is necessary in order to facilitate the enforcement of the law against such institutions and their keepers. Such a definition should be comprehensive enough to include establishments which under other names seek to serve the same purpose. Severe penalties should be prescribed for the keepers of such institutions and an attempt should be made to deal - severaly under the law with the landlords who permit the use of their premises for this purpose.

(iii) A rehabilitation programme will have to provide not only for the general education of the prostitutes, as in many cases they may be illiterate but also for their moral and vocational training. The possibility of establishing rescue homes and rehabilitation houses in the larger cities requires serious consideration, The younger women should be sent to the 'rescue home' which is a temporary shelter to those who are removed from the prostitution houses. In the rescue home, provision should be made for a detailed medical examination of the women admitted. If this examination shows that any women are suffering from venereal diseases they should be sent to the "rehabilitation house". The function of the rescue home should be mainly educative, whereas a 'rehabilitation house' should provide the best medical aid that can be given for the treatment of the diseases. It seems to be therefore desirable that the rehabilitation house should be developed in association with a well conducted venereal diseases clinic. In the early stages of the programme against venereal diseases admission to those institutions will have to be on a voluntary basis.

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These suggestions are noted in the succeeding paragraphs.

2. The first suggestion relates to instruction on sex matters, in training schools and colleges. Secretary in his notes on the report has expressed the opinion that the question should be left for the present, to be dealt by home influences.

3. No action seems to be necessary on this.

Secondly the suggestion is that in order that there may be suitable legal sanction behind the fight against prostitution there should be a sufficiently comprehensive definition of the term "brothel" in the law and severe penalties for keepers of such institutions should be provided for. Secretary has ordered a review of the provisions of our Act in consultation with the Home Department.

The following is the definition of a brothel in the

Madras Suppression of Immoral Traffic Act, 1930. "Brothel" means any house, room or place which the occupier or any person in charge thereof habitually allows to be used by any other person for the purpose of prostitution". The Act contains also a definition of "prostitution". It looks as if the above definition of 'brothel' is wide enough to cover any institution established, under whatever name, for the purpose of prostitution as defined in Act. However, Home will be in a position to say, from any specific cases, brought to their notice, whether the definition needs any amplification.

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As regards penalties against the keepers of such institutions the provisions are:-

For a person who keeps or manages to acts or assists in the management of a brothel.	two years imprisonment or fine of Rs.1,000 or both.
For a tenant, landlord, lessee, lesser who permits the use of the premises in his charge a brothel.	Imprisonment for 3 months or fine of Rs.500/- or both.

Provision has also been made for penalties in respect of persons who detain women for the purpose or induce them to carry on their business.

It does not appear that any further provision is necessary in this regard.

4. Thirdly, as regards rescue homes and rehabilitation houses, the establishment of which has been recommended, Secretary has asked that a review may be made of the present position and particularly the question of rehabilitation houses as distinguished from rescue homes, in consultation with the Home Department.

Under section 6(1) of the Act of 1930 the Commissioner of Police or the D.S.P. can order the removal of a girl from a brothel. Section 6(ii) empowers the Court to pass an order that the girl be placed until she attainst the age of 21 years or for any shorter period in a rescue home or in such other custody as the Court may consider suitable. It may be stated however, that the provisions of the Act except those of the rescue sections have been in force in the Madras City and its environs from 1-4-1932 and in Trichinopoly, Srirangam, Madura and their environs from 1-11-1933. Since then the Act has been extended to a number of other towns and areas and at present it is in force in as many as 65 municipalities. Though the Act mentions a rescue home, there is no provision in it empowering Government to establishment and maintain such an institution. The question of including a provision for the establishment of a rescue home as part of the rescue scheme under the Act was considered at the instance of the select Committee when the Act was in the Bill stage. The proposal was not pursued as its financial implications were not definitely known. The Government's attitude iin the matter was that if the whole Act was to be brought into force, rescue homes should be established and maintained by local bodies. The rescue sections can be applied to an area only if there is a rescue home or at least a shelter in it. As the expectation that private bodies would establish and maintain these homes did not materiali ze, the Government in 1945, decided that where privateenterprise was not forthcoming, local bodies should take the initiative and run institutions with the help of a trained women worker and with financial assistance form Government. There was, however, little response from local bodies in this direction. It was in these circumstances that the Adviser Government took up for consideration proposals for provincialising rescue work in the Province. The proposals included the establishment of -

(a) three rescue homes in the province including the one now at Madras.
and (b) a shelter in each town wherethe Act is in force.

The matter was, however, left to be considered by the popular Government. The proposals have now been taken up and the Government have decided to accept the principle of provincialisation.

The shelters and rescue homes now proposed will apparent answer to the rescue homes and rehabilitation houses respectively of the Bhore Committee's scheme. The Committee considers that a 'rehabilitation house' should be developed in association with a venereal diseases clinic. The present Act (Section 16) contemplates the framing of rules by Government for the care, treatment and instruction and the maintenance of girls placed in a rescue home. This provision does not seem to be now in force.

5. The Committee's suggestions may be brought to the notice of the Home Department and they may be asked to keep these suggestions in view in connection with the proposals now under consideration. Homenmay see u.o.

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HOME DEPARTMENT.

Please see the E. & P.H. Deptt. note at pp.1-5 ante.

This Department is concerned with suggestions Nos.(ii) and (iii) at pp.1-2 ante. The E. & P.H. Department have requested that this department may keep these suggestions in view in connection with the proposals now under consideration in this department for the provincialisation of Vigilance service.

2. Suggestion (ii) on p.1 ante:-THE DEFINITION OF THE TERM 'BROTHEL' SHOULD BE MADE MORE COMPREHENSIVE AND SEVERE PENALTIES SHOULD BE PRESCRIBED FOR KEEPERS OF INSTITUTIONS CONNECTED WITH BROTHELS ETC.

The term 'Brothel' has been defined in the M.S.I.T. Act 1930 as "any house, room, or place which the occupier or person in charge thereof habitually allows to be used by any other person for the purpose of prostitution. The question of amending this definition to delete the word "habitually" was raised by the M.V. Association in 1939. The connected discussions are at pp.62-72 of G.O. No.3035, Home, dated 19-7-40. The proposal was finally dropped. The need for amending the definition does not appear to have been brought to the notice of the Government since. In the circumstances, it would seem that the definition should be deemed to have proved satisfactory in working of the Act. There seems no need to take up that question unless it is raised again by the C.I.

3. Suggestion (iii) on p.1 ante:- Rehabilitation of prostitutes: The Government have accepted in principle the need for provincialising the vigilance service. The scheme for provincialization, now under consideration of the Government, provides for a number of rescue homes and shelters. Rescue homes and shelters will, between the, provide for all the reasonable requirements of the girls etc. dealt with under the Act. No separate
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4. The two suggestions may, however, be kept in view as

requested by E.P.H. when the scheme for provincialization is considered. To enable this to be done, a copy of the notes may be taken and added to the main file regarding provincilization. After that is done, the case may be returned to E.P.H. Sd. x

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Education & P.H. Department.

The case relates to the suggestions for the necessary measures to prevent promiscuity and to control prostitution as part of the Campaign against Venereal diseases.

Of the suggested measures, it is considered premature to introduce instruction in sex matters in training schools and Colleges, in the present staff of society, it is only home influences.. which should shape the students' ideas on sex.

As regards the suggestion for stringent legal provisio which can be invoked for the keeper of brothels, it is considere that the present provisions of the Madras Suppression of Immoral Traffic Act, 1930, are quite adequate.

The suggestions for a rehabilitation programme are for consideration in the Home Department. That department has now under consideration a programme which will provide for rescue homes and shelters. They propose to keep in view the committee's suggestions in carrying out the programme and have taken relevant extracts from this file for the purpose.

As no further action is necessary in the matter, these papers may be recorded after perusal by H.M.(P.H.) and H.M.(Agri)

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Legislation for the prevention of deviation of Devadasis and Basavis is being undertaken by the Government. No further action is necessary. May be recorded.

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14-7-47 Secy.

H.M.(P.H.) A.B.S., 26/7
H.M. (Agri) K.M., 28/7
H. Premier O.P.R., 25/10/

G.O.Ms.No.3597, P.H., dated 30-10-1947.
Recorded.

Abs: Venereal diseases --Measures designed to discourage Promiscuity and to control prostitution - Bhore Committee's Recommendations Papers recorded.

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RS/31/12/1953

OFFICE ASSISTANT,
MADRAS RECORD OFFICE

23/1/54